

June 11, 2024

VIA ECF

Hon. Margo K. Brodie
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*, 05-md-1720 (MKB) (JAM)
Intuit, Inc., et al. v. Visa Inc., et al., 21-cv-1175 (MKB) (JAM)
Block, Inc. v. Visa Inc., et al., 23-cv-5377 (MKB) (JAM)

Dear Chief Judge Brodie:

On behalf of Plaintiffs Intuit Inc., Intuit Payment Solutions, LLC (together, “Intuit”), and Block, Inc. (“Block”), and with Defendants’ consent, we write to inform the Court of Plaintiffs’ intent to file a motion for clarification pursuant to Federal Rule of Civil Procedure 60(a) and to respectfully request approval of a proposed briefing schedule.

Discussions between Intuit and Defendants regarding discovery following the Court’s May 28, 2024 Memorandum & Order, Docket Entry No. 9308 (the “Order”), and Defendants’ recent submission in the Direct Action Plaintiffs’ cases (Docket Entry No. 9317), have revealed that the parties have inconsistent readings of the Order. To promptly resolve the impasse presented by the parties’ divergent interpretations of the Order, Plaintiffs intend to file a short motion for clarification.

Plaintiffs have informed Defendants of their intention to move, and pursuant to the Court’s Individual Rule 3.C, the parties have agreed upon the following briefing schedule: Plaintiffs’ Motion for Clarification due June 11, 2024; Defendants’ Opposition due June 25, 2024; and Plaintiffs’ Reply due July 2, 2024. The parties’ jointly request that the Court approve this proposed schedule.

quinn emanuel urquhart & sullivan, llp

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Respectfully submitted,

/s/ Adam B. Wolfson
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/s/ Steig D. Olson
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